THE WOODLANDS TOWNSHIP

Board of Directors Meeting

REGULAR BOARD MEETING

October 24, 2012

MINUTES

THE STATE OF TEXAS

COUNTIES OF HARRIS & MONTGOMERY

The Board of Directors Meeting of The Woodlands Township met in regular session, open to the public, on October 24, 2012, posted to begin at 6:00 PM. The meeting was held in a meeting room at the office of The Woodlands Township, Board Chambers, 2801 Technology Forest Blvd, The Woodlands, Texas, within the boundaries of The Woodlands Township.

Chairman:

Bruce Tough

Vice Chairman:

Peggy Hausman

Secretary:

Ed Robb

Treasurer:

Gordy Bunch

Directors:

Mike Bass

Nelda Luce Blair

Jeff Long

President:

Don Norrell

Staff/Advisors:

Alan Benson

Karen Dempsey

Taunya Jacques

Miles McKinney

Daniel Ringold

Daniel vingoic

John Powers

Monique Sharp

Bret Strong

Susan Welbes

Renee Williford

Nick Wolda

STANDARD ITEMS:

1. Pledge of Allegiance;

Chairman Tough led the Pledge of Allegiance to the United Sates flag and Texas State flag.

2. Call meeting to order;

Chairman Tough called the meeting to order at 6:03 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouse of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2801 Technology Forest Boulevard, The Woodlands, Texas.

The roll was then called of the duly elected members of the Board with all members present, excluding Director Long and Director Blair**. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

3. Receive, consider and act upon adoption of the meeting agenda;

Motion by: Mike Bass moved to adopt the agenda as presented.

Second by: Gordy Bunch

Motion passed unanimously (5-0).

YES	NO	ABSTAIN
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absent		
absent	1	*
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4. Recognize public officials;

<u>Joe Michels-</u>CISD Board of Trustees candidate <u>Chelsie Sanders-</u>Senator Williams' representative

5. Public Comment;

^{**}Director Blair arrived shortly after roll call.

The following individuals addressed the Board:

<u>Jon Baoman</u>-66 S. Flagstone Path Circle commented on safety concerns due to large amounts of underbrush cluttering the forest floor; suggested that a chipper be used to help with the problem <u>Joe Michels-</u>CISD Board of Trustees candidate

<u>Al Temple</u>-14 Sleeping Colt Place requested to speak following CenterPoint's presentation

6. Receive and consider the Law Enforcement Report;

Marian Leck, Director of Law Enforcement for The Woodlands Township, provided the following report:

- All MCSO positions have been filled;
- Introduced Lt. Melvin Franklin-he oversees the Detective Division
- Harris County Constable's Office-Precinct 4 reported no major incidents in September;
- K9 Deputy Marshall & Hap were sent on six deployments, two of which resulted in four arrests; Hap conducted several park checks;
- Notable Arrests: Tiffany's Jewelry Store robbery suspect;
- Police-Community Partnership: <u>September 2012</u>: National Night Out (NNO) Kick-Off and Watch Talk Wednesday "Recent Trends in Our Schools", Good Neighbor Day; Public Safety Awards Recognition <u>October 2012</u>-Received the "Best Community Based Crime Prevention Award, attended many NNO neighborhood parties, collected 5,000 pounds of food for Interfaith, thanked Board members who attended NNO parties and all public safety agencies for their participation; Watch Talk Wednesday presentation on "Holiday Safety;"
- Preparing law enforcement presence for 2012 CVB events: Live @ Night, Trick or Treat Trail,
 Lighting of the Doves/iWOW and Caroling on the Square

6.a. Community Policing;

See above report.

7. Receive and consider reports from Village Association Representatives;

Reports were provided by the following Village Association (VA) representatives:

Sterling Ridge VA-Anthony Fasone reported that the Board voted to provide funding in the amount of \$1,000 to Smith Elementary School, "Haunting at May Valley" Haunted House will take place on Saturday, October 27, 2012 from 6:30-10:00 pm and is recommended for ages 9 yrs. and older;

<u>Alden Bridge VA-</u>Claude Hunter reported that the Board met at Fire Station #4 and had a nice tour of the facility, commented that Rose Herzog, a long time community volunteer had passed away, website is being revised and currently collecting donations from local businesses, Board voted unanimously to join the Chamber but discovered a hiccup during the application process regarding the Association's foundation;

<u>Cochran's Crossing VA-President Stuart Schroeder reported good attendance at the Fall Festival event</u> and thanked Kroger, Key Club and Interact members for their help, participated in NNO Kick-Off and Wildflower Festival, Fall Flea Market will be held on November 3, 2012, 3R Bazaar will be held November 10, 2012, Judging Christmas Lighting in the village;

<u>Creekside Park VA-President, Nancy Decker Lent reported a great turn out on NNO and residents</u> enjoyed Burglar I.D. activity, next meeting will be on Monday, November 5 and guest speaker will be Buck Driggers who will provide an update from The Woodlands Development Company, CenterPoint representatives will also make a presentation, December 1, 2012 4th Annual Chili Cook-Off from 1-4 p.m. at Rob Fleming Pavilion; there will be a snow sledding hill and other fun activities for the children, thanked the Board for hosting "Ten for Texas" race, resident concerns about power outages

Indian Springs VA-no report

Panther Creek VA-no report

College Park VA-no report

Grogan's Mill VA-no report

CONSENT AGENDA:

8. Receive, consider and act upon the Consent Agenda;

(This agenda consists of non-controversial or "housekeeping" items required by law. One motion with modifications, if applicable, approves for action, all items contained within the Consent Agenda. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request prior to a motion and vote.)

Note: Two proclamations were read prior to Board action on the Consent Agenda items.

Recap of Consent Agenda Items:

- (a) Approve minutes of the September 20, 2012 Board Workshop and September 26, 2012 Regular Board Meeting for the Board of Directors of The Woodlands Township;
- (b) Approve proclamation in support of America Recycles Day;

- (c) Approve proclamation in support of Veterans Day;
- (d) Accept proposal from The Woodlands Swim Team to donate a pool heater for Forestgate Park pool;
- (e) Award bid to Organic Sediment Removal Systems, LLC for the desiltation of identified ponds in an amount not to exceed \$68,250;
- (f) Award bid to Progressive Commercial Aquatics, Inc. in the amount of \$12,240 per year for three years for Waterway Square Fountain maintenance services;
- (g) Award bid to Berkeley Services in the amount of \$97,655.50 to provide Millbend Loop pathway improvements;
- (h) Award bid to MoBill Contractors to construct the Reedy Pond pathway connector in the amount of \$74,547;
- (i) Adopt the 2013 rental fees and operating schedules for The Woodlands Township Riva Row Boat House and Recreation Center;
- (j) Approve renewal of service agreement with The Center for Houston's Future at a level of \$15,000;
- (k) Approve renewal of service agreement with Leadership Montgomery County at a level of \$5,000 for 2012-2013;
- (I) Approve renewal of service agreement with South Montgomery County YMCA for the Partners of Youth Program in the amount of \$50,000;
- (m) Approve renewal of service agreement with the Greater Houston Partnership at a level of \$25,000 for 2013;
- (n) Approve renewal of an Interlocal Agreement with Montgomery County for services provided by the Montgomery County Constable's Office-Precinct 3 and Montgomery County Justice of the Peace-Precinct 3 in the amount of \$167,723;
- (o) Approve a public safety service agreement with Harris County for services provided by the Harris County Constable's Office-Precinct 4 in the amount as determined by cost percentage breakdown required by Harris County;

- (p) Approve renewal of an interlocal agreement with Montgomery County for the provision of law Enforcement services through the Montgomery County Sheriff's Office;
- (q) Approve reauthorizing a letter proposal regarding the proposed Ice Rink project at The Cynthia Woods Mitchell Pavilion;
- (r) Approve renewal of a service agreement with The Woodlands Convention and Visitors Bureau and The Woodlands Township for 2013 and authorize a budget amendment in connection therewith:
- (s) Approve a service agreement with Interfaith of The Woodlands for transportation services for 2013 (\$26,500 allocated in the 2013 budget);

Motion by: Gordy Bunch moved to approve the Consent Agenda.

Second by: Mike Bass

Note: Director Bunch inquired if there had been any discussions with the Montgomery County Sheriff's Office regarding the Public Safety Service Agreement going forward. Don Norrell commented that he planned on discussing this matter with the Sheriff. Chairman Tough commented that he and Mr. Norrell have a meeting scheduled with the Sheriff on Monday, October 29, 2012 to discuss the service agreement.

Motion passed unanimously (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	х		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	absent		

BRIEFINGS:

- 9. Briefings;
- 10. Receive and consider a presentation from CenterPoint Energy regarding update of service

issues;

Chairman Tough provided background information on this item and then recognized representatives from CenterPoint Energy. Following the Chair's comments, Mr. David Baker, Division Vice President of Distribution Power Delivery for CenterPoint Energy, outlined a Plan of Action for Circuits in The Woodlands. Highlights of the Action Plan include the following:

1. Vegetation Management:

- *Inspect trees every 60 days
- *Expand minimum clearance of dead trees from 30' to 50'
- *Clear easements in limited access areas to the ground for accessibility
- *Coordinate an agreement with The Woodlands Township and The Woodlands
 Development Company to cut dead trees without prior approval
- *Schedule: in progress; evaluate as needed

2. System-Widé Grid Hardening Program:

- *Inspect each circuit in the system every 10 years
- *Correct issues found during inspections
- *Move circuits in Creekside Park and Sterling Ridge to the top of the list
- *Schedule: start November 1, 2012; complete end of year 2012

3. Automation:

- *Install automated equipment
- *Create automatic switching to decrease restoration time and decrease the number of customers affected by each outage
- *Schedule: in progress; complete 4th quarter 2013

4. Communication:

- *Provide updates at Township Board of Directors' meetings
- *Provide updates at Creekside Park and Sterling Ridge Village Association meetings
- *Schedule: start immediately; complete when requested

Board discussion followed Mr. Baker's presentation. Chairman Tough then called on individuals who signed up for Public Comment. The following individuals provided Public Comments regarding power outages:

- Al Temple
- Monica Santiago-Petway
- Claude Hunter
- Gabriel Castillo

11. REGULAR AGENDA:

12. Receive, consider and act upon the financial report;

Monique Sharp, Assistant General Manager of Finance and Administration for The Woodlands Township, presented The Woodlands Financial Report. The Board was referred to handout material containing the General Purpose Statements as of and for the nine months ended September 30, 2012. After a review of the combined Financial Statements and Monthly Investment Report, a report on the General Fund vs. Actual was presented. Ms. Sharp then reported on sales tax collections, hotel occupancy tax collections, and property tax collections.

Board discussion followed.

Motion by: Peggy Hausman moved to accept the financial report as presented.

Second by: Gordy Bunch

Motion passed unanimously (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	х		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	х		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	absent		

The financial report is attached hereto as Exhibit "A."

- 13. Recess the regular meeting of the Board of Directors at 7:34 p.m.;
- 14. Convene and conduct a public hearing regarding adoption of a resolution related to the Regional Hazard Mitigation Plan-2011 Update for the Houston-Galveston Area Council (H-GAC) Region as required by the United States Federal Emergency Management Agency in accordance with the Disaster Mitigation Act of 2000;

Fire Chief Alan Benson presented an overview of this item with a recommendation that the Board adopt, by resolution, the Regional Hazard Mitigation Plan-2011 update and authorize the President/General Manager to execute the document.

Chief Benson informed the Board that the United States Congress passed the Disaster Mitigation Act of 2000 ("Act") in order to emphasize the need for states and local governments to coordinate mitigation planning activities should a disaster occur. In order to become eligible for pre and post disaster funding

from the Federal Government, the Act requires states and local governments to develop and adopt a hazard mitigation plan.

Chief Benson then reviewed the purpose of the Hazard Mitigation Plan and commented on updates to mitigation action items, some of which were developed by Montgomery County for The Woodlands in 2006. In January 2011 new action items were developed by Township staff. Chief Benson remarked that it is the intention of staff to update the list when appropriate.

The Federal Emergency Management Agency gave the regional hazard mitigation plan "approvable pending adoption" status on September 5, 2012. Chief Benson stated that this means 78 participating jurisdictions, one being The Woodlands Township, must adopt a resolution related to the mitigation plan in order to become eligible to apply for pre and post-disaster funding.

Board discussion followed the presentation. Chief Benson was asked if there was any item he felt there was a need for, whether funded by FEMA or the Township. The Chief responded that the Emergency Training Center could use a generator should funding become available.

Chairman Tough then called for Public Comment. There was no Public Comment. The Public Hearing was then adjourned.

- 15. Reconvene the regular meeting of the Board of Directors at 7:45 p.m.;
- 16. Receive, consider and act upon adoption of a resolution related to the Regional Hazard Mitigation Plan-2011 Update for the Houston-Galveston Area Council Region as required by the United States Federal Emergency Agency in accordance with the Disaster Mitigation Act of 2000;

Chairman Tough then called for a motion and second on adopting a resolution related to the Regional Hazard Mitigation Plan-2011 Update.

Motion by: Gordy Bunch moved to adopt, by resolution, the Regional Hazard Mitigation Plan-2011

update and authorize the President/General Manager to execute the document in

connection therewith.

Second by: Peggy Hausman

Motion passed unanimously (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	х		
Hausman, Peggy (Vice Chairman)	х		
Robb, Ed (Secretary)	х		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	х		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	absent		

A Resolution Adopting the 2011 Update of the Houston-Galveston Area Council Regional Hazard Mitigation Plan is attached hereto as Exhibit "B."

17. Receive, consider and act upon a budget amendment regarding The Woodlands Township's tree removal program;

John Powers provided a brief review of this item. Board discussion followed the presentation. Director Bass commented that he did not want money to be taken from next year's budget to be used on the tree removal program for 2012. In other discussion, Mr. Powers was asked why more trees are not chipped and whether chipping trees posed a potential fire hazard to the forest reserve. Information was given to the Board related to these questions.

Motion by: Mike Bass moved to approve a 2012 budget amendment for tree removal in the amount

of \$564,000 to be removed from the Operating Reserve.

Second by: Gordy Bunch

Motion passed (5-1).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	· x		
Blair, Nelda Luce (Director)		x	
Long, Jeff (Director)	absent		
<u> </u>			

<u>Note:</u> Don Norrell asked the Board to provide input on a newspaper article regarding the Township's efforts on dead tree removal that the Township would like to submit for publication. The article also provides information to residents regarding dead trees found on private and commercial property.

18. Receive, consider and act upon matters relating to the proposed Texas Local Firefighters Retirement Act (TLFFRA) pension plan;

Susan Welbes, Director of Human Resources for The Woodlands Township, provided a brief overview of this item. Ms. Welbes reviewed specific Board Directives that were discussed at the Board's Workshop meeting on October 18, 2012 that will be added to the Statement of Work for the Actuarial Analysis to be performed by Retirement Horizons, Inc. (RHI). The additional Board Directives for RHI include:

- Use ages 52 and 55 as retirement eligibility dates;
- Value liabilities and costs for the proposed firefighter's pension plan using interest alternative rates of 7 percent and 4 percent; and

• Do not assume any buy back service provisions

Following Ms. Welbes' presentation, Chairman Tough called for a motion and second on this item.

Motion by: Ed Robb moved to approve the Board Directives and Actuary Statement of Work, as

provided in development of an actuarial analysis for the proposed TLFFRA Pension Plan to include the replication of the firefighter actuarial study using new variables and

alternative plan design elements.

Second by: Nelda Luce Blair

Motion passed unanimously (6-0).

YES	NO	ABSTAIN
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x		
absent		
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CLOSED MEETING (if applicable):

Recess at 8:10 p.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney pursuant to §551.071, Texas Government Code;

20. Reconvene in Public Session at 8:32 p.m.;

Chairman Tough announced that there was no need to take action at this time on matters discussed in Executive Session.

DISCUSS FUTURE AGENDA / ANNOUNCEMENTS:

21. Consideration of items to be placed on the agenda for next month's meeting;

<u>Director Bunch</u>-requested feedback on the Rowing Club matter and also more information regarding amenities for the Riva Row Boathouse.

20. Board announcements;

There were no announcements.

21. Public comment, and;

The following individual provided Public Comment:

<u>Claude Hunter</u>-provided comments regarding burial of power lines

22. Adjournment.

Motion by: Mike Bass moved to adjourn the meeting at 8:37 p.m.

Second by: Peggy Hausman

Motion passed unanimously (6-0).

YES	NO	ABSTAIN
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x		
х		
х		
х]
absent		
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WOOD TO STORY

Ed Robb

Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

*To view Exhibits, please contact the Records Department at 281-210-3974.